

Christopher, Anne

From: Brinkerhoff, Larry D (DEC) <larry.brinkerhoff@alaska.gov>
Sent: Wednesday, September 17, 2014 4:26 PM
To: soldotnaychevron@alaska.net
Cc: Steele, William E (DEC); Paige, Cheryl E (DEC); Christopher, Anne; Horwitz, Benjamin
Subject: 518-Soldotna Y Chevron Compliance Letter; improper piping closure
Attachments: 518-Compliance Letter improperly closed piping.PDF

Importance: High

Mark,

Attached is a copy of the certified Compliance Letter that was sent to you in the mail today addressing the two improperly closed/abandoned piping runs and dispenser removal that occurred at the subject facility. EPA has elected to defer enforcement of these specific violations to our office.

Please note the following suspense dates listed in the letter:

- 1) Hire certified UST closure worker to properly remove the piping from the ground and complete the closure and submit required documentation to our office **no later than November 21, 2014.**
- 2) Hire a qualified person to complete a site characterization and assessment of the piping removal and dispenser island locations according to 18 AAC 78.090 and submit required SARI report to our office **no later than December 22, 2014.**

Please let me know if you have any questions about the requirements outlined in the attached Compliance Letter enforcement action.

Larry Brinkerhoff
UST Prevention Manager
Alaska Department of Environmental Conservation
555 Cordova St
Anchorage, AK 99501
907-269-3055 (Phone)
907-269-7687 (Fax)

UST Web Page:
<http://dec.alaska.gov/spar/ipp/tanks.htm>



THE STATE
of **ALASKA**
GOVERNOR SEAN PARNELL

Department of Environmental
Conservation

DIVISION OF SPILL PREVENTION & RESPONSE
INDUSTRY PREPAREDNESS PROGRAM
Terminals, Tank Farms, & Underground Storage Tanks

555 Cordova Street
Anchorage, Alaska 99501
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September 17, 2014

COMPLIANCE LETTER

CERTIFIED MAIL 7012 3460 0002 9327 0886 RETURN RECEIPT REQUESTED

Soldotna Y Chevron
Attn: Mark Rozak
44024 Sterling Highway
Soldotna, AK 99669

Subject: Failure to Properly Close and Assess Underground Storage Tank Piping According to 18 AAC 78.085, 18 AAC 78.090, and 18 AAC 78.455; Soldotna Y Chevron, ADEC Underground Storage Tank Facility #518.

Dear Mr. Rozak:

The Alaska Department of Environmental Conservation (department) completed a compliance inspection of your Underground Storage Tanks (USTs) outlined below on June 16, 2014.

Facility Name: Soldotna Y Chevron				ADEC Facility #518
Address: 44024 Sterling Highway				City: Soldotna, AK
ADEC Tank	Owner Tank	Contents	Volume	Compliance Tag (CT)
5	5	Used Oil	1,000 gls	1143
6	4	Gasoline	10,000 gls	0900
7	3	Diesel	6,000 gls	0901
8	2	Gasoline	6,000 gls	0902
9	1	Diesel	1,500 gls	0903

During the inspection, the department identified that single-wall steel pressurized piping runs from both ADEC tank #6 (owner tank #4; CT #0900) and ADEC tank #8 (owner tank #2; CT #0902) were disconnected from the submersible turbine pumps and associated dispensers and were abandoned in place. Both piping runs provided fuel to two fuel dispensers located on the Southeast side of the building running adjacent to and parallel with the Sterling Highway. Department records indicate that the piping runs and dispensers were in use at the time of the 2011 3rd-party UST operations inspection conducted by state-certified private 3rd-party UST inspector Paul Pedersen on September 28, 2011. The piping runs were abandoned in place and the dispensers and dispenser island removed and paved over sometime between September 28, 2011 and the June 16, 2014 inspection. Additionally, during the inspection you admitted to performing the piping closure yourself as an uncertified UST worker in violation of AS 46.03.375(c-d) and 18 AAC 78.455(a)(2). Finally, the department does not have any record that a proper site characterization and assessment was performed during the piping closure.

Soldotna Y Chevron is and/or may be in violation of the following state of Alaska UST statutes and regulations:

- 1) AS 46.03.375(c-d); Performing UST closure work without proper certification or without a certified UST closure worker supervising the work.
- 2) 18 AAC 78.085(a); Failure to notify the department 15-60 days prior to beginning closure.
- 3) 18 AAC 78.085(b-c); Failure to perform site characterization and assessment of the piping and dispensers. Failure to obtain department approval to do an in-place closure of piping.
- 4) 18 AAC 78.085(f); Failure to notify department within 30 days after closure completed.
- 5) 18 AAC 78.085(g); Failure to use proper industry cleaning and closure procedures.
- 6) 18 AAC 78.090(a-b); Failure to perform a site characterization at the time of closure.
- 7) 18 AAC 78.090(d); Failure to perform site assessment of closed piping and dispensers.
- 8) 18 AAC 78.090(d)(5); Failure to provide the department a site assessment report within 60 days after completion of closure.
- 9) 18 AAC 78.455(a)(2); Failure to use a certified UST closure worker to perform or supervise UST closure work.

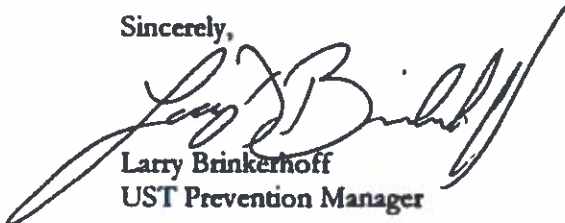
To address the noncompliance outlined above, you are required to comply with the following corrective actions (CAs). Failure to comply with these requirements may result in the department issuing a formal Notice of Violation and/or possible referral to the Alaska Attorney General's office for formal enforcement action.

CA No. 1) Hire a state certified UST closure worker to properly remove the piping from the ground and complete a permanent closure of the piping and dispenser locations according to 18 AAC 78.085(b-g). Submit the completed ADEC Form 18-0505, *Post Closure*, to the department no later than November 21, 2014.

CA No. 2) Hire a qualified, impartial third party person according to 18 AAC 78.090(e) to conduct a proper site assessment of the abandoned piping runs and removed dispenser locations. Sampling must be done according to 18 AAC 78.090(d)(2)(A)(iv-vi) and the *UST Procedures Manual*. Submit the final site assessment comprehensive report according to 18 AAC 78.090(d)(5) no later than December 22, 2014.

If you have any questions concerning the content of this Compliance Letter, please call me at (907) 269-3055 or email larry.brinkerhoff@alaska.gov.

Sincerely,



Larry Brinkerhoff
UST Prevention Manager

Electronic cc:

Bill Steele, ADEC
Cheryl Paige, ADEC
Anne Christopher, U.S. EPA
Ben Horwitz, U.S. EPA